

Amendments to the Drawings:

None

REMARKS/ARGUMENTS

Claims 1-6, 8, 11-16, and 18 stand rejected under 35 U.S.C. 102(b) as being anticipated by Melcer; claims 7, 9, 10, 17, 19, and 20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Melcer.

Claims 1-10 have been canceled.

Claim 11 comprises the limitations of a peristaltic pump operable to deliver a slurry to a polishing pad; a controller operable to send a drive voltage to the peristaltic pump based on a desired volumetric flow rate for the slurry; a rotation sensing device coupled to a rotating shaft of the peristaltic pump and operable to sense a rotation of the peristaltic pump, the rotation sensing device further operable to generate a voltage indicative of the rotation of the peristaltic pump; and a computer coupled to the rotation sensing device and the controller, the computer operable to: receive the drive voltage from the controller; receive the voltage from the rotation sensing device; and compare the voltage to a threshold voltage that is based, in part, on the drive voltage in order to monitor the peristaltic pump during use.

The cited reference describes a system that monitors the slurry inlet pressure to the pump and uses the inlet pressure to control the pump. In particular, "[T]he pump controller uses the specified flow rate, the sensed inlet supply pressure, and known relation ship between the pump speed and volume output to compute the required pump speed." (col. 2, lines 64-67). Claim 11 limits the invention to a system that sends a drive voltage based on volumetric flow rate to the pump. The sensing device monitors the speed of the pump and produces a voltage dependent on the pump speed. This voltage is then compared to a threshold voltage to monitor the pump during use. The threshold voltage is dependent on the drive voltage. A comparison of claim 11 with the cited references reveals that while both describe a CMP pump control system, the configuration of each system and the various methods of operation are patentably distinct. In particular, the cited reference does not describe or teach sending a drive

voltage based on volumetric flow rate to the pump and comparing a voltage dependent on the actual speed of the pump with a threshold voltage that depends on the drive voltage. The examiner is reminded that for a 35 U.S.C. 102(e) rejection to be proper, all the elements of the claimed invention must be contained in the art. From the above, all the claimed elements are not disclosed in the cited reference and claim 11 is allowable over the cited art. Claims 12 and 13 depend on claim 11 and therefore contain all the limitations of the claimed invention. Claims 12 and 13 are therefore also allowable over the cited art.

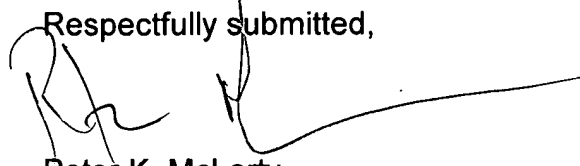
Claim 14 is a method claim to the above described system and comprises the limitations of sending a drive voltage to a pump, the drive voltage based on a desired volumetric flow rate for a slurry; delivering, via the pump, the slurry to a polishing pad; sensing a rotation of the pump; generating a signal indicative of the rotation of the pump; and comparing the signal to a threshold signal that is based, in part, on the drive voltage in order to monitor the pump during use. As described above, the cited reference describes a pump controller that uses the specified flow rate, the sensed inlet supply pressure, and known relationship between the pump speed and volume output to compute the required pump speed. The instant method of claim 14 is not described in the cited reference and claim 14 is allowable over the cited art. Claims 15-20 depend on claim 14 and therefore contain all the limitations of claim 14. Claims 15-20 are therefore also allowable over the cited art.

In light of the above, it is respectfully submitted that the present application is in condition for allowance, and notice to that effect is respectfully requested.

While it is believed that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned in order to expeditiously resolve any outstanding issues.

To the extent necessary, Applicants petition for an Extension of Time under 37 CFR 1.136. Please charge any fees in connection with the filing of this paper, including extension of time fees, to the deposit account of Texas Instruments Incorporated, Account No. 20-0668.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter K. McLarty', with a long horizontal flourish extending to the right.

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